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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,780	09/28/2000	Larry P. Mason	020431.0732	8341

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EXAMINER
NGUYEN, THU HA T

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 March 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-11,14-21 and 24-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-11,14-21 and 24-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5)☐ Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _____.	6)☐ Other: _____.

DETAILED ACTION

1.   Claims **1, 4-11, 14-21, and 24-29** are presented for examination.

2.   Claims 2-3, 12-13, 22-23 and 30 are cancelled without prejudice.

Response to Arguments

3.   Applicant's arguments with respect to claims 1, 4-11, 14-21, and 24-29

have been considered but are moot in view of the new ground(s) of rejection.

4.   In response to applicant's argument that there is no suggestion to combine

the references, the examiner recognizes that obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention

where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re*

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the reason to

incorporate a web page processing operable to transform the standard content

generation tags into a first output that the web browser is able to interpret, the web page

processing engine unable to interpret the custom content generation tags; and the web

page processing engine further operable to communicate with the first output and the

custom content generation tags to the web server of Britton into Claussen system

because it would conventionally employed in the art to provide an efficient

communications system that can modify and format web page content for various types

of pervasive computing devices (see Britton col. 3, lines 7-27).

5.   In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See In re McLaughlin, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

6.   Applicant argues that Claussen and Britton combination does not teach or suggest the use of one engine to transform standard content generation tags and a second engine to transform custom content generation tags. In response to applicant's argument, examiner submits that Claussen teach a transformation engine uses to translate/convert custom content generation tags (abstract, col. 3 lines 30-42, col. 10 lines 34-col. 13, line 4) and Britton in combination with Claussen teach content tailoring system converts a standard content generation tags (col. 6, line 7-col. 7, line 62). Therefore, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to modify the teachings of Britton into the system of Claussen to have a web page processing operable to transform the standard content generation tags because it would provide an efficient communications system that can modify and format web page content for various types of pervasive computing devices (see Britton col. 3, lines 7-27).

7.   Applicant argues Claussen does not teach a web page processing engine operable to transform the standard content generation tags into a first output that the web browser is able to interpret, the web page processing engine unable to interpret the custom content generation tags; and the web page processing engine further operable to communicate with the first output and the custom content generation tags to the web server. In response to applicant's argument, examiner asserts that since applicant's amendment by amending claims and deleting limitation in the claims, hence it is necessitated the new ground(s) of rejection presented in this Office action.

8.   Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1, 11, 21 and 29. Claims 4-11, 14-21, and 24-28 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in this office action [see rejection below].

9.   Applicants still have failed to identify specific claim limitations that would define a patentable distinction over cited prior arts. Accordingly, rejections for claims 1, 4-11, 14-21, and 24-29 are rejected as below.

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject

matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 1, 4-11, 14-21, and 24-29 are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Claussen et al.,** (hereinafter Claussen) U.S. Patent No. **6,675,354,** in view of **Britton et al.,** (hereinafter Britton) U.S. Patent No. **6,535,896.**

12.   As to claim 1, **Claussen** teaches the invention as claimed, including a system for transforming custom content generation tags, comprising:

a web server operable to receive a request from a web browser, the request identifying a file comprising one or more standard content generation tags and one or more custom content generation tags both of which the web browser is unable to interpret (abstract, figures 1, 2, col. 2, line 2-65, col. 3, lines 30-43, col. 5, lines 1-col. 6, line 6);

a web page processing engine operable to receive the standard content generation tags and the custom content generation tags (col. 5, line 1-col. 6, line 33);

a transformation engine operable to receive the custom content generation tags, transform the custom content generation tags into second output that the web browser is able to interpret, and communicate the second output to the web server (abstract, col. 3 lines 30-42, col. 10 lines 34-col. 13, line 4); and

the web server further operable to receive the second output and to

communicate the first and the second output to the web browser in response to the

request (col. 5 lines 25-45, col. 10, line 34-col. 13, line 4).

However, **Claussen** teaches a web page processing engine transforms the

standard content generation tags into a format that the web browser is able to interpret

(col. 5, lines 3-45). However, **Claussen** does not explicitly teach a web page

processing engine operable to transform the standard content generation tags into a

first output that the web browser is able to interpret, the web page processing engine

unable to interpret the custom content generation tags; and the web page processing

engine further operable to communicate with the first output and the custom content

generation tags to the web server. **Britton** teaches a web page processing operable to

transform the standard content generation tags into a first output that the web browser

is able to interpret, the web page processing engine unable to interpret the custom

content generation tags (figure 1, col. 6, line 7, col. 7, line 35); and the web page

processing engine further operable to communicate with the first output and the custom

content generation tags to the web server (col. 7, lines 36-62). It would have been

obvious to one of ordinary skill in the Data Processing art at the time of the invention

was made to combine the teachings of **Claussen and Britton** to have a web page

processing operable to transform the standard content generation tags into a first output

that the web browser is able to interpret, the web page processing engine unable to

interpret the custom content generation tags; and the web page processing engine

further operable to communicate with the first output and the custom content generation

tags to the web server because it would provide an efficient communications system

that can modify and format web page content for various types of pervasive computing

devices (see Britton col. 3, lines 7-27).

13.   As to claim 4, **Britton** teaches the invention as claimed, wherein the web

server is operable to communicate the first output to the transformation engine with the

custom content generation tags; and the transformation engine is operable to

communicate the first output back to the web server with the second output (abstract,

col. 6 lines 7-col. 7 lines 62). It would have been obvious to one of ordinary skill in the

Data Processing art at the time of the invention was made to combine the teachings of

Claussen and Britton to have the same motivation as set forth in claim 1, supra.

14.   As to claim 5, **Claussen** teaches the invention as claimed, wherein the

requested file comprises a JAVASERVER PAGE (JSP) file; the standard content

generation tags comprise JSP standard tags; the custom content generation tags

comprise JSP custom tags (col. 5 lines 48-col. 6 lines 32); however, **Claussen** does not

explicitly teach web page processing engine comprises a JSP engine unable to process

the JSP custom tags. **Britton** teaches web page processing engine comprises a JSP

engine unable to process the JSP custom tags (abstract, col. 6 lines 7-col. 7 lines 62).

It would have been obvious to one of ordinary skill in the Data Processing art at the time

of the invention was made to combine the teachings of **Claussen and Britton** to have

the same motivation as set forth in claim 1, supra.

15.   As to claim 6, **Claussen** teaches the invention as claimed, wherein the first and second output comprises code selected from the group consisting of HyperText Markup Language (HTML) code, Extensible Markup Language (XML) code, and Wireless Markup Language (WML) code (col. 1 lines 38-col. 2 lines 21).

16.   As to claim 7, **Britton** teaches the invention as claimed, wherein the web page processing engine is operable to attach a header to the unprocessed custom content generation tags, the header indicating the presence of the unprocessed custom content generation tags; and the web server is operable to communicate the unprocessed custom content generation tags to the transformation engine in response to the header (abstract, figure 1, col. 6 lines 7-col. 7 lines 62). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of **Claussen and Britton** to have the same motivation as set forth in claim 1, supra.

17.   As to claim 8, **Claussen** teaches the invention as claimed, wherein the transformation engine comprises an Extensible Stylesheet Language Transformation (XSLT) engine, the XSLT engine operable to transform the custom content generation tags using an Extensible Stylesheet Language (XSL) stylesheet (figure 1, col. 2 lines 2-21, col. 3 lines 30-42, col. 10 lines 35-44).

18.   As to claim 9, **Claussen** teaches the invention as claimed wherein the

XSL stylesheet comprises one or more templates corresponding to each custom

content generation tag, the templates comprising HTML code to replace the

corresponding custom content generation tag (abstract).

19.   As to claim 10, **Claussen** teaches the invention as claimed, wherein one

or more of the templates comprise code operable to generate HTML code to replace the

corresponding custom content generation tag (abstract, col. 10 lines 35-42).

20.   As to claim 11, **Claussen** teaches the invention as claimed, including

method for transforming custom content generation tags, comprising:

receiving a request from a web browser for a file comprising one or more

standard content generation tags and one or more custom content generation tags, both

of which the web browser is unable to interpret (abstract, figures 1, 2, col. 2 lines 2-65,

col. 3 lines 30-43, col. lines 1-col. 6 lines 6);

transforming the custom content generation tags using a transformation engine

into second output that the web browser is able to interpret (abstract, col. 3 lines 30-42,

col. 10 lines 34-42); and

communicating the first and second output to the web browser in response to the

request (col. 5 lines 25-45, col. 10, line 34-col. 13, line 4).

However, **Claussen** teaches a web page processing engine transforms the

standard content generation tags into a format that the web browser is able to interpret

(col. 5, lines 3-45). However, **Claussen** does not explicitly teach processing the file using a web page processing operable to transform the standard content generation tags into a first output that the web browser is able to interpret, the web page processing engine unable to interpret the custom content generation tags. **Britton** teaches processing the file using a web page processing operable to transform the standard content generation tags into a first output that the web browser is able to interpret, the web page processing engine unable to interpret the custom content generation tags (figure 1, col. 6, line 7, col. 7, line 35). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of **Claussen and Britton** to have processing the file using a web page processing operable to transform the standard content generation tags into a first output that the web browser is able to interpret, the web page processing engine unable to interpret the custom content generation tags because it would provide an efficient communications system that can modify and format web page content for various types of pervasive computing devices (col. 3, lines 7-27).

21. As to claim 21, **Claussen** teaches the invention as claimed, including custom tag transformation software embodied in a computer-readable medium and operable to:

receive a request from a web browser for a file comprising one or more standard content generation tags and one or more custom content generation tags, both of which

the web browser is unable to interpret (abstract, figures 1, 2, col. 2 lines 2-65, col. 3

lines 30-43, col. lines 1-col. 6 lines 6);

transform the custom content generation tags into second output that the web

browser is able to interpret (abstract, col. 3 lines 30-42, col. 10 lines 34-42); and

communicate the first and second output to the web browser in response to the

request (col. 5 lines 25-45).

However, **Claussen** teaches a web page processing engine transforms the

standard content generation tags into a format that the web browser is able to interpret

(col. 5, lines 3-45). However, **Claussen** does not explicitly teach processing the file

using a web page processing operable to transform the standard content generation

tags into a first output that the web browser is able to interpret, the web page

processing engine unable to interpret the custom content generation tags. **Britton**

teaches processing the file using a web page processing operable to transform the

standard content generation tags into a first output that the web browser is able to

interpret, the web page processing engine unable to interpret the custom content

generation tags (figure 1, col. 6, line 7, col. 7, line 35). It would have been obvious to

one of ordinary skill in the Data Processing art at the time of the invention was made to

combine the teachings of **Claussen and Britton** to have processing the file using a web

page processing operable to transform the standard content generation tags into a first

output that the web browser is able to interpret, the web page processing engine unable

to interpret the custom content generation tags because it would provide an efficient

communications system that can modify and format web page content for various types

of pervasive computing devices (col. 3, lines 7-27).

22.   As to claim 29, **Claussen** teaches the invention as claimed, including a

system for transforming custom content generation tags, comprising:

means for receiving a request from a web browser for a file comprising one or

more standard content generation tags and one or more custom content generation

tags that the web browser is unable to interpret (abstract, figures 1, 2, col. 2 lines 2-65,

col. 3 lines 30-43, col. lines 1-col. 6 lines 6);

means for transforming the custom content generation tags into second output

that the web browser is able to interpret (abstract, col. 3 lines 30-42, col. 10 lines 34-

42); and

means for communicating the first and second output to the web browser in

response to the request (col. 5 liens 25-45).

However, **Claussen** teaches a web page processing engine transforms the

standard content generation tags into a format that the web browser is able to interpret

(col. 5, lines 3-45). However, **Claussen** does not explicitly teach means for processing

the file by transforming the standard content generation tags into a first output that the

web browser is able to interpret, the web page processing engine unable to interpret the

custom content generation tags. **Britton** teaches means for processing the file by

transforming the standard content generation tags into a first output that the web

browser is able to interpret, the web page processing engine unable to interpret the

custom content generation tags (figure 1, col. 6, line 7, col. 7, line 35). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of **Claussen and Britton** to have means for processing the file by transforming the standard content generation tags into a first output that the web browser is able to interpret, the web page processing engine unable to interpret the custom content generation tags because it would provide an efficient communications system that can modify and format web page content for various types of pervasive computing devices (col. 3, lines 7-27).

23.   As to claim 14-17, and 24-25 they are system claims directed to transform custom content generation tags of method claims 4-7. Claims 14-17, and 24-25 have similar limitations to claims 4-7; therefore, they are rejected under the same rationale.

24.   As to claim 18-20, and 26-28, they are system claims directed to transform custom content generation tags of method claims 8-10. Claims 18-20, and 26-28 have similar limitations to claims 8-10; therefore, they are rejected under the same rationale.

Conclusion

25.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-

3989. The examiner can normally be reached Monday through Friday from 8:30 AM to

5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne, can be reached at (571) 272-4001.

Any inquiry of a general nature of relating to the status of this application should

be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax phone numbers for the organization where this application or proceeding

is assigned are 703-872-9306 for regular communications.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Thu Ha Nguyen

June 6, 2005

BHARAT BAROT
PRIMARY EXAMINER